

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EARL HAYES,

Plaintiff,

-against-

BRADY CONDLIN; STEVEN SCHMOKE

Defendants.

22-CV-7295 (LTS)

ORDER DIRECTING PAYMENT OF FEES
OR IFP APPLICATION

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. To proceed with a civil action in this Court, a plaintiff must either pay \$402.00 in fees – a \$350.00 filing fee plus a \$52.00 administrative fee – or, to request authorization to proceed *in forma pauperis* (IFP), that is, without prepayment of fees, submit a signed IFP application. *See* 28 U.S.C. §§ 1914, 1915. On August 25, 2022, Plaintiff submitted the complaint with a money order in the amount of \$405.00.

The Court directs the Cashiers Unit to return Plaintiff's \$405.00 money order.

The Court further directs Plaintiff, within thirty days of the date of this order, to either submit payment of exactly \$402.00 in fees to bring this action, or complete, sign, and submit the attached IFP application. Payment of the filing fees must be made by certified check, bank check, or money order, payable to: Clerk of Court – SDNY, and can be mailed to: Cashiers Unit – Room 260, 500 Pearl Street, New York, NY 10007. Any certified check, bank check, or money order must include Plaintiff's case number, 22-CV-7295 (LTS). Payment can also be made by major credit card or cash (only if the payment is made in person). Personal checks are not accepted.

No summons shall issue at this time. If Plaintiff complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: August 30, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge